

**MINUTES OF THE
STATE ELECTIONS ENFORCEMENT COMMISSION'S
REGULAR MEETING VIA TELECONFERENCE**

April 13, 2005

I. Call to Order

Chairman Cashman called the teleconference meeting to order at 9:00 a.m. On line were Commissioners Tracey Cleary, Joan Jenkins and Audrey Brett. Commissioner Cashman was present in the Commission's conference room along with staff members, Messrs. Garfield, Lenge, Smith, Crayton, Ly, Ms. Andrews, Ms. Kulmacz and Ms. Blackburn.

II. Approval of the Minutes of the March 16, 2005 Regular Teleconference Call Meeting

It was moved by Commissioner Jenkins and seconded by Commissioner Cleary to adopt the minutes of the March 16, 2005 regular teleconference call meeting. So voted.

III. Pending Complaints and Investigations

Mr. Garfield requested that the Commission revise today's agenda to add File No. 2005-122NF, The Matter of a Referral by the Office of the Secretary of the State, Respondent Leonard Rasch, Treasurer for "Rasch for 78th". The Commissioners agreed.

Executive Session per C.G.S. 1-200(6)(B) and (E), and 1-210(b)(4)

It was moved by Commissioner Jenkins and seconded by Commissioner Cleary at 9:02 a.m. to proceed into Executive Session pursuant to C.G.S. 1-200(6)(B) and (E), and 1-210(b)(4) to discuss strategy and negotiations with respect to pending claims listed as Items 1 through 6. So voted. On line and present were Commissioners Cashman, Cleary, Jenkins and Brett. Staff members present were Messrs. Garfield, Lenge, Smith, Crayton, Ly, Ms. Andrews, Ms. Kulmacz and Ms. Blackburn.

It was moved by Commissioner Cleary and seconded by Commissioner Brett to return to public session at 9:45 a.m. So voted.

Returning to public session, the Commission took the following action:

1. Complaint by Olga Aviles and Joseph Delorenzo
Registrars of Voters, Hartford
File No. 2004-292
Investigators: Attorney Marc W. Crayton &
Lead Legal Investigator Gilberto Oyola
Managing Attorney: Jeffrey B. Garfield

It was moved by Commissioner Jenkins and seconded by Commissioner Brett to close the above referenced file without prejudice and to inform the Registrars of Voters of the results of the investigation of matter.

2. Complaint by Richard Goodwin, Branford
File No. 2004-298
Investigator: Attorney Marc W. Crayton
Managing Attorney: Jeffrey B. Garfield

It was moved by Commissioner Cleary and seconded by Commissioner Brett to adopt the proposed Consent Agreements and Orders with Respondents Warren Gould and Joan Grossman contingent upon receipt of the signed agreements and the civil penalties of \$400 each within 7 days from today. So voted. With respect to Respondent Joan Grossman, the signed Consent Agreement and Order has been received and the civil penalty of \$400 has been paid. A copy of the Consent Agreements and Orders are attached and incorporated herein as part of these minutes.

3. In the Matter of 188 Cleveland Avenue
File No. 2005-101
Investigator: Attorney Joan M. Andrews
Managing Attorney: Jeffrey B. Garfield

It was moved by Commissioner Cleary and seconded by Commissioner Brett to authorized staff to issue subpoena duces tecums to Miles Wiles and Radames V. Vasquez to appear and furnish documents relating to this investigation. So voted.

4. Complaint by Janice Kulpa, Middlebury
File No. 2005-126
Investigator: Attorney Marc W. Crayton
Managing Attorney: Albert P. Lenge

This matter was continued.

5. Complaint by Karen Mozzicato, East Haven
File No. 2005-127
Investigator: Attorney Joan M. Andrews
Managing Attorney: Jeffrey B. Garfield

It was moved by Commissioner Cleary and seconded by Commissioner Brett that the Commission take no further action with regard to this matter. So voted. The Commission also directed staff to send a letter to the complainant with copies to the Registrars of Voters pointing out the problems that were revealed during this investigation so that they can change their procedures in the future to bring them into compliance.

IV. Update: Referral to Chief States' Attorneys Office

6. File No. 2004 163NF
Referral by the New Haven City Clerk, Claudia Kay
Respondent: Derrick Draughn

This matter was continued.

V. New Business

There was no discussion of new business.

VI. Referrals by the Office of the Secretary of the State

A. Consideration of Hearing Officers' Report

File No. 2004-233LNF
Respondent: Michael Lauzier, Lobbyist
Hearing Officer: Attorney Albert P. Lenge

Attorney Crayton summarized his request to amend Mr. Lenge's Hearing Officers Report. He asked Mr. Lenge to reconsider his denial of the amendments. There was considerable discussion.

It was moved by Commissioner Cleary and seconded by Commissioner Brett to adopt the Hearing Officers report as a Final Decision with amendments. So voted. A copy of the Final Decision is attached and incorporated herein as part of these minutes.

B. Non-Filer Compliance

Referral by the Office of the Secretary of the State
File No. 2004-357NF
Summit PAC
Respondent: Ann Summerville, Treasurer

Mr. Garfield informed the Commission that Ann Sumerville, Treasurer for the Summit PAC has complied.

It was moved by Commissioner Cleary and seconded by Commissioner Jenkins that the Commission take administrative notice of compliance by Respondent Ann Sumerville with CGS

§§ 9-333j and 9-333y and accept as full settlement the payment by Respondent of \$110 to the State of Connecticut, and will take no further action with respect to this matter. So voted.

C. Find Reason to Believe Recommendations & Designation of Hearing Officers

1. File No. 2005-113NF
Committee: Second Senatorial Committee
Respondent: Julie Mounds, Treasurer
Investigator: Attorney Marc W. Crayton
Managing Attorney: Jeffrey B. Garfield
Recommendation: Find Reason to believe that Respondent Julie Mounds violated Section 9-333j and 9-333y of the Connecticut General Statutes
2. File No. 2005-117NF
Committee: Committee to Re-Elect State Senator Coleman
Respondent: Ronald Simpson, Treasurer
Investigator: Attorney Marc W. Crayton
Managing Attorney: Jeffrey B. Garfield
Recommendation: Find Reason to believe that Respondent Ronald Simpson violated Section 9-333j and 9-333y of the Connecticut General Statutes

Mr. Garfield informed the Commission that he has been in contact with Senator Coleman regarding the two matters referenced above. Senator Coleman has indicated that he will address these matters.

It was moved by Commissioner Cleary and seconded by Commissioner Jenkins that the Commission finds reason to believe that Respondent Julie Mounds and Respondent Ronald Simpson violated Section 9-333j and 9-333y of the Connecticut General Statutes and that a hearing officer be designated. So voted.

Chairman Cashman designated Albert P. Lenge to be hearing officer and a hearing date will be scheduled for File Nos. 2005-113NF and 2005-117NF.

3. File No. 2005-122-122NF
Committee; Rasch for 78th
Respondent: Leonard Rasch, Treasurer
Investigator: Attorney William B. Smith
Managing Attorney: Albert P. Lenge

Attorney Smith stated that Respondent Rasch has remained non-responsive to calls and the demands to file the delinquent reports. In addition to the first referral, the Office of the Secretary of the State has referred him for an additional delinquent report. Attorney Smith recommended a hearing date be scheduled.

It was moved by Commissioner Cleary and seconded by Commissioner Brett that the Commission finds reason to believe that Respondent Leonard Rasch violated Section 9-333j and 9-333y of the Connecticut General Statutes and that a hearing officer be designated for this matter. So voted.

Chairman Cashman designated Jeffrey B. Garfield to be hearing officer and a hearing date will be scheduled.

VII. Legislative Update

Mr. Garfield stated that the campaign finance reform bills were approved by the GAE Committee at the end of March. There is substantial disagreement in the House and the Senate between the chairs and leadership on ways to resolve the campaign finance issues in Connecticut. Each bill has a public finance component. In terms of the Commission's goals, the House version goes further, in his view, in meeting the Commission's goals of reducing special interest money and influence in the process. Mr. Garfield summarized the differences between the House and Senate versions. Both bills are currently in the Appropriations Committee which is expected to meet tomorrow to take action on them. Mr. Garfield stated that he will be there.

Commissioner Jenkins left the meeting at 10:10 A.M.

Mr. Garfield summarized the two election bills that the GAE Committee approved. Each is an amalgamation of several different concepts. He reviewed H.B. 6669 which contains the Commission's absentee voting reform package and the concepts that increase sanctions for voter registration and voter fraud as well as other powers and duties. There is resistance to the confidentiality of the absentee ballot application and list of applicants. There is also some resistance to the joint liability on the candidates for violations of their campaign workers. So far there has been no opposition to the disclosure and transparency provision or to the Commission's misrepresentation provision. Several concepts of this bill (HB6669) has received opposition from the Secretary of the States Office.

Mr. Garfield stated that S.B.55 contains a strong provision requiring new direct record electronic voting machines to contain a voter verified paper audit trail that would be used as an official record. Mr. Lenge had a significant role helping Rep. O'Brien to draft this bill. The bill has received strong endorsement of the committee although the Office of the Secretary of the State has some issues with the funding.

For the Commission's information, Mr. Garfield said that he will be going to Mystic to present a presentation at the Town Clerks Conference on Thursday. Attorney Andrews, Ms. Kulmacz and Ms. Haqq will also be making a presentation. Mr. Lenge will be making a presentation at the Registrars of Voters Conference at the end of the month.

VIII. Adjournment

It was moved by Commissioner Cleary and seconded by Commissioner Brett to adjourn the meeting at 10:30 A.M. So voted.

Unless otherwise indicated, all votes of the Commission were unanimous.

The next regular meeting is scheduled for Wednesday, May 18, 2005 at 9:00 a.m.

Respectively submitted,

Lois E. Blackburn
Clerk of the Commission